

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554  
AUG 06 2012

IN REPLY REFER TO:  
1800B3-DW

John Trent, Esq.  
Putbrese, Hunsaker & Trent, P.C.  
200 S. Church Street  
Woodstock, VA 22664

In re: **KHTZ(FM), Ganado, TX**  
Facility ID No. 27619  
Silent since March 2, 2012

Request for Special Temporary  
Authority to Remain Silent

Dear Mr. Trent:

This letter concerns the request you filed on May 15, 2012, on behalf of Roy E. Henderson, ("Henderson") for Special Temporary Authority to permit FM Radio Station KHTZ to remain silent.

Henderson's request states that Station KHTZ(FM) went silent on March 2, 2012, pending the proposed construction of its new tower site. The request includes the appropriate certification regarding Section 5301 of the Anti-Drug Abuse Act of 1988.<sup>1</sup>

Henderson's request is granted. Accordingly, Special Temporary Authority is granted to permit Station KHTZ(FM) to remain silent not to exceed 180 days from the date of this letter. **Notwithstanding the grant of this Special Temporary Authority, the broadcast license for Station KHTZ(FM) will automatically expire as a matter of law if broadcast operations do not commence by 12:01 a.m., March 3, 2013.**<sup>2</sup> See Section 312(g) of the Communications Act, 47 U.S.C. § 312(g).

The station's silent status does not suspend the licensee's obligation to comply with all other relevant Commission rules, including the filing, when appropriate, of applications for renewal of broadcast license. Additionally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower shall be maintained until removed. See 47 C.F.R. §§ 17.6 and 73.1740(a)(4).

Finally, Section 73.1740(a)(4) of the Commission's Rules permits licensees to discontinue operations for good cause, and for a period not to exceed 30 days without further authority. See 47 C.F.R. § 73.1740(a)(4). This rule requires that the licensee notify the Commission by letter "not later than the 10<sup>th</sup> day of limited or discontinued operations," and if operations are not able to commence by the 10<sup>th</sup> day, "informal written request shall be made to the FCC no later than the 30<sup>th</sup> day for such additional time

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<sup>1</sup> In the event extension of special temporary authority is sought, please renew the certification in this matter.

<sup>2</sup> In addition to filing electronically with the Commission on the date operations resume, notification of resumption of broadcast operations must be emailed to [Denise.Williams@FCC.gov](mailto:Denise.Williams@FCC.gov).

as may be deemed necessary.” Henderson failed to submit a timely request for an STA to permit Station KHTZ(FM) to remain silent beyond April 2, 2012, and the action taken herein shall not be construed as authorizing the station to remain silent between April 2, 2012, and May 15, 2012.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Scanlan". The signature is fluid and cursive, with the first name "Lisa" and last name "Scanlan" clearly distinguishable.

Lisa A. Scanlan  
Assistant Chief, Audio Division  
Media Bureau